THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.15371 OF 2007

DATED: 25-10-2007

BETWEEN

Kandula Ramabhiksham,
S/o. Late Ananta Ramaiah,
R/o. Patha Ganeshunipadu (V),
H/o. Kanki, Piduguralla Mandal,
Guntur District.

...PETITIONER

AND

The Mandal Revenue Officer,
Piduguralla Mandal, Guntur District
and others.

...RESPONDENTS

ORDER:

Petitioner submits that his agricultural lands have been declared as surplus lands under the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 in C.C.No.1016/PLD/75. The grievance of the petitioner is that he has not been given option to surrender the excess lands, as he wanted to retain the lands in Sy.Nos.596/3-1, 543/1 and 542/1, which are very costly lands. But without giving any option the respondents are taking possession of the aforesaid lands also.

2. Learned Government Pleader appearing for the respondents produced records, which goes to show that the petitioner himself filed a statement dated 13.09.2006 surrendering the lands in which the aforesaid lands are also included i.e. Ac.4.61 cents in Sy.No.542/1; Ac.0.94 cents in

Sy.No543/1; Ac.3.00 cents in Sy.No.596/3-1 and Ac.3.71 cents in Sy.No.596/3-2 totaling an extent of Ac.12.26 cents. As the said lands have been surrendered to the Government, it cannot be said that the petitioner has not been given any option before surrendering the excess lands. The learned Government Pleader submits that, in fact, the said lands have been assigned by proceedings dated 04.04.2007 in C.C.No.1016/PLD/75 in favour of

22 persons each an extent of 50 cents in respect of the entire land of Ac.12.26 cents.

3. In view of the aforesaid facts and circumstances, it cannot be said that the respondents have not followed the due procedure prescribed in law and that they have not given option to the petitioner in surrendering the lands of his choice. The contentions of the petitioner are without any merits.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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V. ESWARAIAH, J

October 25, 2007
DSK